

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAROLYN FORREST,

Plaintiff,

-against-

UNIFUND FINANCIAL GROUP, INC.,
UNIFUND AMERICA, INC.,
UNIFUND PARTNERS FUND, L.P. SERIES X,
UNIFUND PARTNERS FUND, L.P. SERIES XI,
UNIFUND PARTNERS FUND, L.P. SERIES XII,
UNIFUND PARTNERS FUND, L.P. SERIES XIV,
RALPH SCOTT BARTER and
MURIEL BARTER,

Defendants.

Case No. 04 CV 5151 (LTS)

NOTICE OF MOTION

Upon the accompanying Declaration of Alfred Ferrer III, dated October 12, 2004, all other pleadings and proceedings in this action, and the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, dated October 12, 2004, Defendants, by their undersigned attorneys, hereby move, pursuant to Fed. R. Civ. P. 9(b) and 12(b)6, to dismiss the Complaint, dated June 28, 2004.

Dated: New York, New York
October 12, 2004

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